

Holger Uhl [OSB#950143]
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 Attorneys for First Horizon Home Loan Corporation

**IN THE UNITED STATES DISTRICT COURT
 DISTRICT OF OREGON
 MEDFORD DIVISION**

TAMIE RICHARDSON,

Plaintiff,

vs.

First Horizon Home Loan Corporation,

Defendants.

Case No. 10-03073

**CONCISE STATEMENT OF MATERIAL
 FACTS**

Pursuant to LR 56-1, defendant submits the following concise statement of undisputed material facts:

MATERIAL FACT	Supporting Documentation
1. The subject property of this complaint is known as 746 Bailey Drive, Grants Pass, Oregon 97527.	Affidavit of Ed Hyne, Holger Uhl, Exhibit A, page 3
2. The subject promissory note ("Note") and deed of trust ("Deed of Trust") (together the "Loan" or "Mortgage") are dated April 8 th , 2005 and were signed by Plaintiff and non party Mike S. Richardson.	Affidavit of Ed Hyne, Exhibit A, First page and page 14 and B, First page and page 5. (Exhibit B is a copy of the front and back page of the document –reference to page number is to the front page unless otherwise indicated)
3. The original Principal amount of the loan was \$370,000.00	Affidavit of Ed Hyne, Paragraph 7, Exhibit A, page 2.
4. The current annual interest rate is 6.13%	Affidavit of Ed Hyne, Paragraph 7.
5. The Note is payable to the "order of Lender"	Affidavit of Ed Hyne, Exhibit

CONCISE STATEMENT OF MATERIAL
 FACTS - 1

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- 2
- 3 6. The Note identifies the "Lender" as First Horizon Home
Loan Corporation Affidavit of Ed Hyne, Exhibit
B, page 1, paragraph 1.
- 4 7. The language of the Note provides that it is transferable. Affidavit of Ed Hyne, Exhibit
B, page 1, paragraph 1.
- 5
- 6 8. The Note is endorsed in blank by First Horizon Home Loan
Corporation. Affidavit of Ed Hyne, Exhibit
B, page 3, reverse page.
- 7 9. The Deed of Trust was recorded on April 15, 2005 as
Instrument # 2005-008429, records of Josephine County,
Oregon. Affidavit of Holger Uhl,
Exhibit A, page 1, recording
stamp.
- 8
- 9 10 The named original Beneficiary of the Deed of Trust was
First Horizon Home Loan Corporation Affidavit of Holger Uhl,
Exhibit A, page 1, Paragraph
Definitions (C)
- 10
- 11 11 The original Trustee was Ticor Title Insurance Company Affidavit of Holger Uhl,
Exhibit A, page 1, Paragraph
Definitions (D)
- 12
- 13 12 The Deed of Trust was modified by Instrument recorded Affidavit of Holger Uhl,
March 29, 2006 as Instrument # 2006-006558 Exhibit B
- 14
- 15 13 The marriage of Plaintiff and co-debtor Mike S. Richardson Josephine County Case #
was dissolved by degree dated April 7, 2009 08DR00948
- 16
- 17 14 The Loan is owned by a securitization trust, First Horizon Affidavit of Ed Hyne,
Alternative Mortgage Securities Trust 2006-AA3, Mortgage Paragraph 8, 9, Exhibits E
Pass-Through Certificates Series 2006-AA3, with the and F.
Bank of New York as the Trustee and was transferred to
said trust pursuant to a Pooling and Servicing Agreement
dated May 1, 2006.
- 18
- 19
- 20 15 First Horizon Home Loan Corporation now known as First Affidavit of Ed Hyne,
Horizon Home Loans is the master servicer for the Loan Paragraph 11, Exhibits E and
pursuant to said Pooling and Servicing Agreement with F.
authority to institute foreclosures.
- 21
- 22
- 23 16 MetLife Home Loans is the sub-servicer for the Loan Affidavit of Ed Hyne,
Paragraph 11, Exhibits E and
F.
- 24
- 25 17 The loan is due for July 2009 and each month thereafter. Affidavit of Ed Hyne,
Paragraph 7, Exhibit C
- 26
- 27 18 On October 16, 2009 First American Title Insurance Affidavit of Holger Uhl,

Company ("FATCO") was substituted as trustee by the Bank of New York Mellon, as Trustee, through First Horizon Home Loans as the master servicer for the Trustee

Exhibit D.

19 Said substitution was recorded November 16, 2009 as Instrument # 2009-017906, records of Josephine County, Oregon.

Affidavit of Holger Uhl, Exhibit D, page 1, recording stamp.

20 First Horizon assigned its beneficial interest in the Deed of Trust to The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2006-AA3, by instrument recorded on December 29, 2009 as Instrument # 2009-020021, records of Josephine County, Oregon.

Affidavit of Holger Uhl, Exhibit C, page 1, recording stamp.

21 No actions to recover the debt has been instituted

Affidavit of Ed Hyne, Paragraph 13.

22 First American Title Insurance Company recorded a Notice of Default and Election to Sell on March 30, 2010, as Instrument # 2010-004090, records of Josephine County, Oregon.

Affidavit of Holger Uhl, Exhibit E, page 1, recording stamp.

23 On June 24, 2010, First American Title Insurance Company caused the recording of the Affidavit of Mailing, Compliance with SB 628, Publication, and Posting, as Instrument #2010-010755, records of Josephine County, Oregon.

Affidavit of Holger Uhl, Exhibit F, page 1, recording stamp.

DATED September 29, 2010

McCarthy & Holthus, LLP
/s/ Holger Uhl

By _____
Holger Uhl, Of the Firm
Attorneys for First Horizon Home Loan Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 29, 2010, I served a copy of the foregoing on CM/ECF Registered Participants as reflected on the Notice of Electronic Filing:

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Additionally, a copy of the foregoing was served on the following parties by first class mail, postage prepaid, addressed to:

Tamie Richardson
746 Bailey Drive
Grants Pass, OR 97527

/s/ Holger Uhl

Holger Uhl